

REMARKS

Upon entry of the present amendment, claim 1 will be amended, whereby claims 1-4 will remain pending. Claim 1 is the sole independent claim.

While not expressing agreement or acquiescence with the rejections of record, claim 1 has been amended to include that a surface of the other side of the deposited semiconductor layers is a light emitting surface which emits light beams directly to outside from the semiconductor layers. Support for the amendment to claim 1 appears in Applicants' originally filed application, including page 16, lines 10-11.

Reconsideration of the rejections of record and allowance of the application in view of the following remarks are respectfully requested.

Information Disclosure Statement

Applicants once again remind the Examiner that the initialed Form PTO-1449 attached to the August 20, 2008 Office Action is not completely initialed in that JP 2000-196197 is not initialed. As no explanation is provided for the lack of initialing, it is assumed that the lack of initialing was inadvertent. Applicants are therefore once again submitting another copy of the form and request that the Examiner forward a completely initialed copy with the next communication from the Patent and Trademark Office.

Response To Rejections

Claims 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,507,057 to Ohno (with U.S. Patent No. 6,414,531 to Yu et al. (hereinafter "Yu") being used as evidence only).

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ohno in view of U.S. Patent No. 6,878,973 to Lowery et al. (hereinafter "Lowery").

In response to these grounds of rejection, Applicants submit that none of the documents of record teaches or suggests, as recited in Applicants' independent claim 1, a light-emitting device formed by depositing p-type and n-type nitride semiconductor layers, comprising:

- deposited p-type and n-type nitride semiconductor layers;
- semiconductor-surface-electrodes to apply currents into each of the semiconductor layers;
- an insulating layer which holds the semiconductor layers, said insulating layer comprising two surfaces; and

- mount-surface-electrodes provided on one surface of the insulating layer which is opposite to the other surface of the insulating layer where the semiconductor-surface-electrodes are made;

- wherein one of the semiconductor layers has a non-deposited area where the other semiconductor layer is not deposited;

- one of the semiconductor-surface-electrodes is built up on the surface of the non-deposited area;

- vias are made in the insulating layer which electrically connect the semiconductor-surface-electrodes and the mount-surface-electrodes;

- the semiconductor-surface-electrodes, the insulating layer, and the mount-surface-electrodes are built up in this order on one side of the deposited semiconductor layers; and

- a surface of the other side of the deposited semiconductor layers is a light emitting surface which emits light beams directly to outside from the semiconductor layers.

In contrast to the subject matter recited in independent claim 1, and further defined in the dependent claims, Ohno discloses, the wiring structure of a switching circuit for controlling light emission from an array of three-terminal light-emitting elements with the pnpn structure of GaAs semiconductor layers. Figs. 5, 6 and 7 of Ohno merely show the metal wiring structure of the pnpn structure isolated in an island by the isolation groove 22 and the cross under wiring portion thereon, not showing a light-emitting element portion. More particularly, light-emitting element portions are indicated by L(1) to L(128) in Fig. 2. The elements T(1) to T(128) in Fig. 2 are switching circuit portions. Figs. 3 and 4 of Ohno are plan view of the wiring in the switching circuit portion. Figs. 5, 6 and 7 show the section of the region 8 enclosed by dashed line in Fig. 4. Accordingly, Ohno does not disclose a "light-emitting device" with "nitride semiconductor". Fig. 6 does not show a light-emitting element portion. Thus, Ohno does not teach or suggest the light emitting device as recited in Applicants' claims.

Yu discloses a thin film electrode for planar organic light-emitting devices, and merely describes that the substrate used therefore may be a non-transparent substrate made from, e.g., doped GaAs as well as a transparent substrate made from, e.g., glass. See, Yu, column 2, lines 30-38.

Accordingly, Ohno does not teach each and every feature recited in Applicants' claims whereby the anticipation rejection based upon Ohno with evidence by Yu is without appropriate basis, and should be withdrawn.

Regarding the obviousness rejection of claim 4, Lowery is merely utilized in the rejection in an attempt to establish obviousness of including phosphor on the surface of the semiconductor layer. However, whether or not one having ordinary skill in the art would have made the asserted combination of Ohno and Lowery, which Applicants submit would not have been made,

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such combination does not overcome the above-discussed differences over Ohno. Therefore, the rejection of claim 4 is without appropriate basis, and should be withdrawn.

Accordingly, each of the rejections of record should be withdrawn, and the application should be allowed

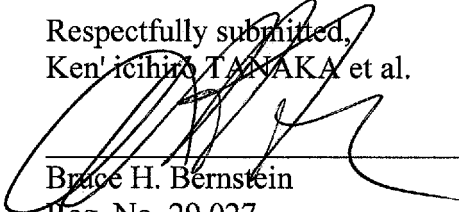
CONCLUSION

In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections of record, and allow each of the pending claims.

Applicants therefore respectfully request that an early indication of allowance of the application be indicated by the mailing of the Notices of Allowance and Allowability.

Should the Examiner have any questions regarding this application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
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